

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5307 PCB HCAS 11-04 Department of Children and Family Services

SPONSOR(S): Health Care Appropriations Subcommittee, Hudson

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Health Care Appropriations Subcommittee	10 Y, 3 N	Perritti	Pridgeon
1) Appropriations Committee	15 Y, 7 N	Perritti	Leznoff

SUMMARY ANALYSIS

The bill creates or amends several statutes to conform to decisions made in the House proposed General Appropriations Act (GAA) for Fiscal Year 2011-12

- The bill amends Section 409.1451, Florida Statutes, changing the maximum age of eligibility from 23 to 21 for independent living transition services and for the road-to-independence award for former foster children. Independent living transition services and the road-to-independence award provide services and a monthly stipend to assist former foster children in obtaining training and education. The House proposed GAA for Fiscal Year 2011-12 reduces \$8.1 million from General Revenue funds by changing the maximum age of eligibility from 23 to 21 for independent living services.
- The bill creates Section 415.1114, Florida Statutes, allowing the Department of Children and Family Services to transfer responsibilities for adult protective investigations to the sheriff of a county. In order to implement such a transfer, the department of Children and Family Services and the appropriate Sheriff's Office will enter into a contract for the provision of these services. The House proposed General Appropriations Act (GAA) for Fiscal Year 2011-12 proposes transferring adult protective investigations in Citrus County to the Citrus County Sheriff's Office. This will result in the reduction of 3.00 positions and the transfer of \$187,243 in funding to the Citrus County Sheriff's Office through a contract to provide adult protective investigations.

The effective date of the bill is July 1, 2011.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Independent Living

The Independent Living Program provides services to youth in foster care and young adults who were formerly in foster care. The program is designed to assist youth in obtaining life skills and education necessary to become self-sufficient, live independently and maintain employment.

In Fiscal Year 2010-11, the Legislature appropriated \$29.9 million to the Independent Living Program within the Department of Children and Family Services. This includes \$8.5 million in federal funds from the Chafee Foster Care Independence Program and Education and Training Voucher funds, and \$21.4 million in state general revenue funds.

The largest component of Florida's Independent Living Program is the Road-to- Independence stipend, which provides money to assist young adults ages 18 to 23 who are in high school, seeking a GED, or pursuing a postsecondary education. Section 409.1451, Florida Statutes provides that the amount of each young adult's Road-to-Independence stipend must be based on their living and educational needs, but shall not exceed the amount earned by working 40 hours a week at a job paying the federal minimum wage. In Fiscal Year 2009-10, the maximum Road-to-Independence stipend was \$1,256 per month, or \$15,072 per year.

In addition to the Road-to- Independence stipend, former foster children receive case management services, life skills training, aftercare support and transitional services.

The federal government provides funding and requirements for independent living programs through the Chafee Act. The Chafee Act requires that states serve young adults from age 16 until they reach their 21st birthday and provides flexibility to continue providing Education and Training Vouchers until their 23rd birthday. Florida is one of five states that provide independent living services to you ages 13 or younger.¹ In Fiscal Year 2009-10 the department served 1,100 young adults age 21 and older.

The bill changes the maximum age of eligibility for Independent Living Transition Services from 23 to 21. The House proposed GAA for Fiscal Year 2011-12 reduces \$8.1 million from general revenue by changing the maximum age of eligibility from 23 to 21.

Adult Protective Investigations

The Adult Protective Services Program within the Department of Children and Family Services is charged with protecting vulnerable adults from being harmed (Chapter 415, Florida Statutes.). These adults may experience abuse, neglect, or exploitation by second parties or may fail to take care of themselves adequately. The Florida Abuse Hotline screens allegations of child and adult abuse/neglect to determine whether the information meets the criteria of an abuse report. If the criteria are met, a protective investigation is initiated to confirm whether or not there is evidence that abuse, neglect, or exploitation occurred; whether there is an immediate or long-term risk to the victim; and whether the victim needs additional services to safeguard his or her well-being.

The bill provides for the transfer of adult protection services from the Department to County Sheriffs if agreed to by the sheriff. This language is similar to provisions in s. 39.3065, F.S. which authorize the department to transfer child protective services to a sheriff's office. To implement the transfer, the Department of Children and Family Services and the appropriate Sheriff's Office will enter into a contract for the provision of these services. The House proposed General Appropriations Act (GAA) for

¹ "Comparisons to Other States and Funding Options for the Independent Living Program" Research Memorandum, February 2, 2011, Office of Program Policy Analysis and Government Accountability.

Fiscal Year 2011-12 proposes transferring adult protective investigations in Citrus County to the Citrus County Sheriff's Office. This will result in the reduction of 3.00 positions and the transfer of \$187,243 in funding to the Citrus County Sheriff's Office through contract with the department to provide adult protective investigations.

B. SECTION DIRECTORY:

Section 1. Amends s. 409.1451, F.S., related to independent living services.

Section 2. Creates s. 415.1114, F.S., related to adult protection investigations.

Section 3. Provides the bill is effective July 1, 2011.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

	<u>FY 2011-12</u>
Department of Children and Families	
<u>Independent Living Program</u>	
General Revenue	(8,214,576)
Total	<u>(8,214,576)</u>

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

County Sheriffs who assume adult protective investigation services will receive funding through a contract with the Department of Children and Families.

2. Expenditures:

County Sheriffs who assume adult protective investigation services from the department will expend contracted funds as necessary to provide these services.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill authorizes but does not require sheriffs to assume responsibilities relating to adult protective investigations. A participating sheriff's office will receive state funding for the provision of these services upon entering into a contract with the Department of Children and Family Services.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The Department of Children and Families has sufficient rule-making authority to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES